

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the Application of:

RICHARDSON et al.

Serial No.: 10/797,749

Filed: March 9, 2004

Atty. File No.: 1604-470

For: "MICROWAVABLE METALLIC

CONTAINER"

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Group Art Unit: 3742

Examiner: VAN, QUANG T.

RESPONSE TO
RESTRICTION REQUIREMENT

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA VA 22313-1450 ON May 18, 2006.

SVERIBANROSS P.C.

In an Office Action dated April 19, 2005, the Examiner issued a Restriction Requirement with regard to the above-identified patent application. Generally, the Examiner indicated that Figs. 1-5 (Species I) and Fig. 6 (Species II) were distinct inventions, and that a further species election is required with regard to Figs. 7-11. Pursuant to a phone call with the Examiner, Applicants hereby elect to prosecute Figs. 1-5 in this patent application since the embodiment shown in Figs. 1-5 is distinct from the various embodiments shown in Figs. 7-11. Thus, an additional species election for Figs. 7-11 is not required at this time. However, Applicants respectfully reserve the right to pursue Figs. 7-11 in a subsequent divisional/continuation application. Since this election is timely made prior to the one month statutory deadline of May 19, 2005, no additional fees are believed due at this time. However, if any fees are due, the Examiner is authorized to debit Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

Bruce A. Kugler

Registration No. 38,942 1560 Broadway, Suite 1200 Denver, Colorado 80202-5141

(303) 863-9700

Date: May 18, 2005